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ABSTRACT

It has been slightly more than a decade since the 1988 Supreme Court "Hazelwood" decision which reaffirmed the right of high school principals to censor stories in the student newspaper. That ruling caused advisers, principals, and students to reevaluate the operation of those publications. This study investigates press freedom in high school newspapers at the end of the century. Usable surveys on press freedom in the schools were received from 138 advisers and 84 school principals in 47 states. The findings paint a clear picture of a high school student press that is not free, that is controlled mostly by advisers, but also by principals, and that views editing of the paper by the faculty adviser as the norm. (Contains 19 references and 3 tables of data.) (Author/RS)

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Nation's high school newspapers: Still widely censored

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Nation's high school newspapers: Still widely censored

Abstract

It has been slightly more than a decade since the 1988 Supreme Court *Hazelwood* decision which reaffirmed the right of high school principals to censor stories in the student newspaper. That ruling caused advisers, principals and students to reevaluate the operation of those publications. This study investigates press freedom in high school newspapers at the end of the century. The findings paint a clear picture of a high school student press that is not free, that is controlled mostly by advisers, but also by principals, and that views editing of the paper by the faculty adviser as the norm.

Nation's High School Newspapers:
Still Widely Censored

As the 20th Century came to a close, so did 100 years of vigorous growth and evolution of the media in the U.S., a period of unparalleled technological change which provided both the media and the public unlimited access to information almost instantly.

At the same time, a number of major national organizations released surveys documenting a credibility crisis in the media. In 1998, an American Society of Newspaper Editors study reported that 59 percent of the public felt newspapers were concerned mainly with making profits rather than serving the public interest; 78 percent agreed that there was bias in the news media, and 23 percent said they found factual errors in news stories in daily papers at least once a week (Noack, 1998, p. 9).

In 1999, a survey by the Scripps-Howard News Service and the Scripps Survey Research Center at Ohio University confirmed the ASNE study, finding that fewer than 15 percent of Americans thought newspapers were very reliable; more than 75 percent thought reporters were biased, inaccurate and prying, and more than 40 percent had lost some faith in the media (Jaben, 1999, p. 12).

Also in 1999, the Freedom Forum issued its second State of the First Amendment survey (McMasters, 1999, p. 14). Notably, 53 percent of the public responded that the press has too much freedom, and only 6 percent mentioned

press freedom as the most important freedom of those cited in the First Amendment. This survey also asked about the student press; 60 percent of respondents said high school students should not be free to print stories about controversial issues without the approval of school officials, an increase from 52 percent in the 1997 survey.

Public attitudes toward press freedom and faith in the media are reflected in issues facing the student press. In 1998, the Student Press Law Center, a non-profit advocacy group for student free press rights, reported a record 1,597 requests from student journalists and their advisers seeking legal assistance; 20 percent of those calls (321) concerned censorship matters (SPLC Report, 1999, p. 3). This was an increase from 18 percent of calls in 1997, and 15 percent in 1996.

Mark Goodman, SPLC executive director, commented:

> If government officials are given the power to censor, history has shown that sooner or later they will exercise that power to serve their own agenda. Student free expression and quality scholastic journalism are just the latest casualties. ...As so many of the calls to the SPLC indicate, *Hazelwood* has essentially gutted the First Amendment in many of America's high schools (Newsletter, 1998, p. 179).

It has been slightly more than a decade since the 1988 Supreme Court decision in the case of *Hazelwood School District v. Kuhlmeier*, in which the Court reaffirmed the right of the principal at Hazelwood East High School in suburban St. Louis to censor stories in the school newspaper, the *Spectrum*, which dealt with teenage pregnancy and the effects of divorce on children.

That ruling caused advisers, administrators and students to re-evaluate the operation of student media which had experienced nearly two decades of student press freedom since the landmark 1969 Supreme Court decision in the case of *Tinker v. Des Moines Independent Community School District*, which affirmed the freedom of the public student press:

> First Amendment rights, applied in light of the special circumstances of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate (*Tinker* at 506).

That affirmation of the First Amendment rights of students came with a notation that school officials could regulate student expression, but only if it "would materially and substantially interfere with requirements of appropriate discipline in the operation of the school" (*Tinker* at 509).

Even with the foundation provided by *Tinker*, a national study of high school principals and newspaper advisers conducted just prior to *Hazelwood* reported that nearly all principals (97 percent) and advisers (89 percent) agreed that advisers should review all copy before it was printed; 80 percent of principals and two thirds of advisers also agreed that advisers should correct misspellings students make in copy, and a majority of both groups agreed that advisers – not editors – were ultimately responsible for the content of the paper (Click and Kopenhaver, 1988, p. 50).

In addition, since 60 percent of principals agreed that administrators should have the right to prohibit publication of articles they thought harmful, and the same percentage agreed that maintaining discipline was more important than publishing a newspaper free from administrative censorship (p. 49), it is clear that even before *Hazelwood*, prior review was accepted, and both principals and advisers believed that student press freedom should be closely monitored.

Knight (1988, p. 43) said of the post-*Tinker*, pre-*Hazelwood* period:

> We now realize that the adviser shifted over to being de facto publisher, although none would have perceived it before *Hazelwood*. The adviser controlled budget, personnel and circulation but maintained only general editorial supervision, as in policy matters.

A study of Missouri principals immediately after *Hazelwood* revealed that only 8 percent foresaw any change in procedures concerning the content of their newspaper. However, a pattern of censorship had already been in place; more than one-third of the principals (36 percent) said they had kept something from being printed, and nearly one third (32 percent) stated it had been their usual practice to review the newspaper before publication (Dickson, 1989, p. 171).

Nearly two-thirds of the Missouri principals said they viewed the newspaper as an open forum for student expression, though Dickson says, "Many were not true open forums before the ruling – despite what principals stated" (p. 172). The basis for the ruling in *Hazelwood* was that the newspaper at Hazelwood East High School was not a "public forum," since the adviser made all the editorial decisions

related to the newspaper and, in effect, acted as the editor, serving as the final authority on all aspects of the publication.

In the forum theory, "once the government establishes a forum for public expression of views, it may not censor speech taking place in that forum" (Click, Kopenhaver and Hatcher, 1993, p. 60). In *Hazelwood* the Court said if the *Spectrum* had, "by policy or by practice," been open as a "forum for free expression where student editors had been given control over content, then the *Tinker* standard would still be used to determine if principal Reynolds' (sic) censorship was permissible" (*Law of the Student Press*, 1994, p. 39).

The Court found, however, that *Spectrum* editors did not control content and the paper was therefore not a public forum. In this limited situation, therefore, school officials could exercise prior review over every issue, as had been their practice. However, the Student Press Law Center contends that where "student editors have been given final authority over content decisions in their publications or while a school policy explicitly describes a student publication as a public forum for student expression, the *Tinker* standard will still apply" (p. 44).

In the first national surveys after *Hazelwood*, Click and Kopenhaver (1990, and Click, Kopenhaver and Hatcher, 1993) surveyed high school principals and newspaper advisers to ascertain their views on the role of the adviser, the First Amendment rights of students, printing controversial stories, and knowledge of what the *Hazelwood* decision meant, among others. It is obvious that more than half the principals (52 percent) and 43 percent of advisers did not understand the

narrowness of the decision since they disagreed with such statements as the following: "if student editors in written policy or practice have been granted final authority over the newspaper's content, they still have the right to that free expression after the *Hazelwood* decision" (1990, p. 16).

In addition, nearly two-thirds of principals and more than one-third of advisers agreed that the adviser is ultimately responsible for the content of the paper rather than the editors (p. 24). Three-fourths of principals and more than half the advisers also agreed that advisers should correct misspellings that students make in copy, and nearly all principals and 82 percent of advisers agreed that advisers should exercise prior review of copy (p. 26). This study did not reveal any significant increase in censorship from the 1989 pre-*Hazelwood* study; it was obvious that student newspapers were experiencing overt and covert censorship before and after *Hazelwood*.

Dickson surveyed newspaper editors and advisers nationally. He also concluded that *Hazelwood* had not reduced scholastic press freedom and that student journalists were not avoiding doing controversial stories. However, this study did note that 82 percent of editors and 89 percent of advisers said that advisers always exercised prior review, and more than one-third of both said that the principal had told the adviser or the editor that a story or editorial couldn't run or would have to be changed before it could run (Dickson, 1994, p. 59).

The *Hazelwood* decision, even though it did not significantly increase prior review in student newspapers across the country, did, however, make advisers

more aware of their responsibilities in working with students to protect their First Amendment rights to freedom of expression through the newspapers. The position of the adviser is capsulized by Dvorak and Dilts (1992, p. 7): "*Hazelwood* is an extraordinary decision to those teachers who find administrative censorship to be a kind of anti-lesson in the pedagogy of freedom..."

The SPLC issued a widely disseminated paper in 1992 detailing eight steps to fight censorship. Stating that *Hazelwood* said that "student publications that are public forums for student expression have much greater First Amendment protection than those that are not" (SPLC, 1992, p. 1), the SPLC advocated that schools and districts adopt a written policy protecting the rights of student journalists to determine content. The organization further noted that if this was not possible, then the school should "try to establish that by practice your publications are serving as forums" with statements in the publication and in editorial policies (p. 2).

In a survey of advisers, principals and editors at Indiana High School Press Association schools, Davis found that only 40 percent of advisers indicated they "recognized the importance of the 'open forum' language as a foundation for student publications," as defined and advocated by the SPLC. She further noted that because of the confusion of these advisers, 60 percent of Indiana's journalism teachers "did not recognize that essential terminology to exempt their publications from *Hazelwood*." She found, therefore, that even though only one-third of advisers said they practice prior review, editors said 56 percent actually did; in

addition, 73 percent of principals said they didn't review because they were sure the adviser did. Advisers also said they reviewed "because administrators have implied it is expected" (Davis, 1997, p. 43).

Following *Hazelwood,* a number of other organizations working with student media took strong advocacy roles to teach advisers and students how to ensure press freedom. As Dickson noted in a study of college educators who train future scholastic journalism advisers, the Journalism Education Association revised its "Prior Review Statement" in 1990, post-*Hazelwood*, to change the word "editing" in the list of adviser's duties to "supervises the editing process" (Dickson, 1997, p. 7).

SPLC's Goodman summed up the effects of *Hazelwood* by saying, "Without question, *Hazelwood* is being abused by administrators in schools across the country." He said he "can cite numerous examples of articles butchered and student newspapers censored because school administrators felt publication of the material in question might cause public controversy or upset school board members" (Corrigan, 1996, p. 2).

The SPLC therefore continues to advocate establishing strong statements affirming the newspaper as a "public forum for free student expression" in policy and/or practice, and also working to pass legislation in the states protecting student press rights. Six states, California, Massachusetts, Iowa, Kansas, Arkansas, and Colorado, had passed such legislation by the end of 1999.

Method

This study investigates freedom of expression in high school student newspapers at the end of the century and slightly more than a decade after *Hazelwood*. Click and Kopenhaver undertook two similar surveys, in 1984-85 and 1989, asking high school principals and newspaper advisers somewhat global questions about student newspapers in general. They found that most advisers and principals thought that school newspapers are censored, or "edited," by their advisers.

Click and Kopenhaver's 1984-85 survey used a random sample and found that 26 percent of the replying schools had no newspaper, significantly reducing the number of usable replies. Their 1989 survey received some criticism for using one-half the newspaper members of the Columbia Scholastic Press Association as their sample, which achieved a much better response.

For the current survey, a random sample was selected from the Dun & Bradstreet database of "businesses" in the U.S., which includes all schools.

An open-ended question in Click and Kopenhaver's 1989 survey yielded a large number of admissions of censorship in their own schools by advisers and principals. So for this survey, the questions were changed to ask the principals and advisers to respond specifically about their newspapers and their schools rather than about school newspapers generally.

The Survey

The survey instrument was slightly modified from the one used by Click and Kopenhaver in their 1989 national study following *Hazelwood* since the intent was to compare data 10 years after *Hazelwood* to data received immediately after the ruling. It included 52 questions, plus a request for an explanation of their answer to the question: "Do you think the *Hazelwood* decision influenced the status of the student newspaper at your school?" Space was also provided for additional comments on the survey as a whole. Of the questions, 28 asked respondents to indicate a level of agreement or disagreement on a four-point scale of strongly agree, agree, disagree, and strongly disagree. Seventeen questions gathered demographic and informational data on respondents and their schools, and seven queried advisers and principals on their knowledge of *Hazelwood* specifically.

The questionnaire was mailed to 472 advisers and an equal number of principals at that number of high schools across the U.S. Three mailings were sent during spring 1999. After eliminating surveys returned for various reasons, including, most significantly, 20.8 percent of respondents who said they had no newspaper, there was a valid pool of 433 advisers and 384 principals. Usable responses were received from 31.9 percent of advisers (138) and 21.9 percent of principals (84). Respondents represented 47 states.

In the discussion of results, respondents' "strongly agree" and "agree" answers have been combined and are described as "agree," and their "disagree" and "strongly disagree" answers have been combined and are described as

"disagree." The tables report their responses in all four categories. Advisers and principals agreed on nearly every statement, though their intensity varied, as the Chi-square probability notations in the tables indicate.

Demographics

In the four categories used, more principals (38 percent) were in their sixth to tenth years in the position than in any other, and more advisers (34 percent) were in their second to fifth year as an adviser. Twenty-seven percent of the advisers and 13 percent of the principals were in their first year in the position, and 23 percent of the advisers and 15 percent of the principals had 11 or more years' experience in their positions. In the five categories of enrollment, the largest number of schools had fewer than 500 students (principals 39 percent, advisers 32 percent); the second largest category was 501 to 1000 students (principals 26 percent, advisers 27 percent). Eighty-five percent of the advisers were from public schools and 14 percent from private schools. Similarly, 86 percent of the principals were from public schools and 14 percent from private schools.

A plurality of principals (28 percent) said their schools had published 5-6 issues last year, and a slim plurality of advisers (23 percent) said their schools had published 3-4 issues. Two-thirds of the schools had published 3-8 issues (principals 63 percent, advisers 66 percent), and 10 percent of the principals and 17 percent of the advisers said their schools published 11 or more issues the previous year.

The number of copies per issue distributed reflected school size, with 37 percent of the principals and 43 percent of the advisers reporting 500 or fewer copies. The second-largest group was 501-1000 copies (principals 32 percent, advisers 24 percent).

Newspaper Purpose and Control

The stated purpose of the student newspaper overwhelmingly was a "student news and comment communication vehicle," according to 90 percent of the principals and 90 percent of the advisers. Other purposes were "public relations for the school," indicated by 8 percent of the principals and 6 percent of the advisers, and "information sheet for school," by none of the principals and 2 percent of the advisers (2). Most of the advisers (83.3 percent) and two-thirds of the principals (67.5 percent) agreed that "an important function of the student newspaper is to be a forum for free student expression."

One-half the principals (49 percent) and 61 percent of the advisers said that the adviser "controls and is ultimately responsible for the contents" of the student newspaper. Nearly one-half the principals (47 percent) and one-fourth of the advisers (23 percent) said the principal had that control and responsibility. One principal and 10 percent of the advisers said that students controlled and were responsible for the newspaper. Together, the principal or the adviser has control of nearly all student newspapers in the survey (principals 96 percent, advisers 84 percent).

Censorship

Censorship of high school newspapers is widespread. Three-fourths of the principals (75 percent) and advisers (73 percent) said their newspapers are censored. That total comes from 30 percent of the principals and 29 percent of the advisers who answered "yes" to the question, "Do you believe your student newspaper is censored?," plus another 45 percent of the principals and 44 percent of the advisers who answered "sometimes"; only 27 percent of advisers and principals answered "no." When asked, "If Yes or Sometimes, by whom?," 39 percent of the principals and 40 percent of the advisers indicated it was by the adviser, and 61 percent of the principals and 60 percent of the advisers said by the principal.

Replying to a separate question, 59 percent of the advisers and 53 percent of the principals said, "Our newspaper adviser censors the student newspaper."

There were more advisers who said they censored their papers than there were principals who said the advisers censored. Advisers may think that rather than ensuring that their students have press freedom, they need to censor in order to keep their jobs; indeed, a few said so in the open-ended section. In addition, nearly two-thirds of the principals (65 percent) and three-fifths of the advisers (60 percent) agreed that "student staff members censor our student newspaper."

Of those saying they believe their student newspaper is censored, 58 percent of both the advisers and principals said it has always been censored; 10 percent of both the advisers and principals said it had not always been censored,

and one-third (32 percent) of both said they did not know whether it had always been censored. (See Table 1)

(Insert Table 1 about here)

Opinions about Newspaper Operation

A majority of both principals (55 percent) and advisers (75 percent) do not believe that "the school's principal should have a voice in selecting the student newspaper editor." Significantly, more advisers than principals disagreed with that statement. The principals were nearly evenly split on the matter, and the advisers were against the statement three to one. These responses were different from those to a similar item in Click and Kopenhaver's 1989 survey of 531 members of the Columbia Scholastic Press Association throughout the United States. In responding to the statement, "School administrators should have some voice in the selection of the student newspaper editor," a minority of principals (38 percent) and a slight majority of advisers disagreed (54 percent). In Click and Kopenhaver's 1984-85 survey of a systematic sample of 502 high schools' principals and advisers, 54 percent of the principals agreed with that statement, but 71 percent of the advisers disagreed.

A clear majority of the principals (60 percent) and one-half of the advisers (50 percent) agree that "Only teachers who have some courses in journalism should be hired as advisers for student newspapers."

In the 1984-85 survey, 69 percent of the principals agreed that "Only persons with degrees in journalism should be advisers to student newspapers," but a majority of advisers (55 percent) disagreed. For this survey, we revised the statement to "some courses" instead of a "major."

Both principals (95 percent) and advisers (62 percent) agree that "So long as the school provides funding for some of the newspaper's expenses, school administrators should have some control over what is printed in the school newspaper," though more of the principals agreed with this than advisers, where 38 percent disagreed. In the 1984-85 survey, 62 percent of the principals agreed with the statement, "As long as the school board or school pays part of the costs, school administrators have control over what is printed in the school newspaper"; 57 percent of the advisers disagreed with it. In 1999, both principals and advisers seem to agree on more control.

More than one-half the advisers (56 percent) and 87 percent of the principals agreed that "our school principal should have the right to prevent publication of articles he or she thinks would be harmful in any way, even if such articles might not be found libelous, obscene or disruptive by a court of law." These results were similar for principals but different for advisers to a similar statement in the 1989 CSPA survey, in which 83 percent of the advisers disagreed with the statement, "School administrators should have the right to prohibit publication of articles they think harmful, even though such articles might not be legally libelous, obscene or disruptive"; 65 percent of the principals agreed with it. In the 1984-85 survey, 55

percent of the advisers disagreed with the statement while 83 percent of the principals agreed.

Nine out of 10 advisers (89 percent) and principals (96 percent) also agree that "If the principal asks the adviser to read copy prior to publication, the adviser should do so." Responding to a companion question, all of the principals (100 percent) and nearly all of the advisers (95 percent) agreed that "the newspaper adviser should read and approve copy prior to publication." The newspaper adviser also should become an editor, according to 91 percent of the principals and 80 percent of the advisers who agreed that "the newspaper adviser should correct misspellings in student copy before publication," and 93 percent of the principals and 88 percent of the advisers who agreed that "the newspaper adviser should correct factual inaccuracies in student copy before publication."

Further, 94 percent of the principals and 81 percent of the advisers agree that "the newspaper adviser is professionally obligated to inform the principal of any controversial stories before the newspaper is distributed." Similar statements in the 1989 survey of CSPA members yielded similar results. Principals (99 percent) and advisers (72 percent) agreed that "if an administrator asks the adviser to read copy prior to publication, the adviser should do so." Similarly, 98 percent of the principals and 89 percent of the advisers agreed that "the student newspaper adviser should review all copy before it is printed"; 86 percent of the principals and 70 percent of the advisers agreed that "the adviser should correct misspellings that students make in their copy," and 78 percent of the principals and

74 percent of the advisers agreed that "the adviser should correct factual inaccuracies in student copy before publication even if it is not possible to confer with the students involved." The 1989 respondents split, unlike the 1999 respondents, on a statement that "the adviser is obligated to inform the administration of any controversial stories before the newspaper goes to press." Principals overwhelmingly agreed with it (86 percent); advisers split, 44 percent agreeing and 48 percent disagreeing.

In the 1984-85 survey, 99 percent of the principals and 84 percent of the advisers agreed that, if asked, an adviser should read copy prior to publication; 99 percent of the principals and 96 percent of the advisers agreed that the adviser should review all copy before it is printed. Also, 89 percent of the principals and 83 percent of the advisers said the adviser should correct misspellings, and 78 percent of the principals and 83 percent of the advisers said the adviser should correct factual inaccuracies. In the 1984-85 study, both principals (89 percent) and advisers (60 percent) agreed that the adviser is obligated to inform the administration of controversial stories before the newspaper goes to press.

A slim majority of principals (51 percent) and advisers (55 percent) agree that "the student newspaper should print a story that it can prove is true even if printing the story will embarrass the school's administration." In 1989, the same percentage of principals (51 percent) but more advisers (76 percent) agreed with the statement, "The student newspaper should be permitted to print a story that it can prove is true even if printing the story will hurt the school's reputation." In

1984-85 more than one-third (37 percent) of principals and more than one-half (59 percent) of advisers agreed; 53 percent of the principals disagreed.

Principals and advisers disagree about adviser intervention into publication of a story "that may embarrass the school's administration." Three-fifths of the principals (63 percent) said that "the adviser has a professional obligation to prevent that item from being published," and nearly half the advisers (45 percent) agreed with them. In the 1989 survey, both the principals (57 percent) and the advisers (81 percent) disagreed with the statement, "If the adviser knows that the newspaper is going to publish something that will put the school in a bad light, the adviser has a professional obligation to see that that particular item is not published." In 1984-85 51 percent of the principals agreed with that statement, while 55 percent of the advisers disagreed with it.

Issues Beyond the School Campus

Advisers (92 percent) and principals (85 percent) overwhelmingly agreed that the newspaper could cover issues and events of the larger community, state or nation, as well as those of its campus. In the 1989 survey, the numbers were 98 percent for advisers and 91 percent for principals. In 1984-85, they were 79 percent for advisers and 68 percent for principals.

Criticism of the school board would be permitted by two-thirds of the principals (67 percent) and four-fifths of the advisers (80 percent). In 1989, fewer

principals (59 percent) and more advisers (91 percent) agreed; in 1984-85, figures were principals, 62 percent, and advisers, 75 percent.

Most of the principals (87 percent) and two-thirds of the advisers agreed that "the student newspaper should advance the public relations objectives of the school." This may be difficult to interpret depending upon how respondents view public relations and its objectives. If public relations is viewed as always telling the truth about the school and being open and making information available, that is a positive interpretation. But if it means restricting the flow of information to what is positive about the school in the view of school administrators, then press freedom is compromised.

Training Students for Press Responsibility

The vast majority (84 percent) of the principals and two-thirds (67 percent) of advisers feel that even after students have been trained in journalistic principles and press responsibility, they should not have full control over the editorial content of the student newspaper. However, 81 percent of the advisers and 73 percent of the principals disagreed with the statement that "high school students are not sufficiently mature to understand the theory and practice of a free press."

In 1989, 61 percent of the principals disagreed that "Once students have been trained in press responsibility, they should have control over all editorial content of the student newspaper," while 58 percent of the advisers agreed with the statement. A clear majority (82 percent) of the principals and nearly all (91

percent) the advisers disagreed with the statement, "High school students are too immature to practice responsibly freedom of the press."

In the 1984-85 survey, 73 percent of the principals and 54 percent of the advisers disagreed with the statement that once they are trained, high school journalists should be accorded full editorial control; however, 65 percent of the principals and 86 percent of the advisers disagreed with the statement that high school students are too immature to practice responsibly freedom of the press.

Free Press Issues

Nearly all the advisers (97 percent) and principals (95 percent) agreed that "Most Americans support the concept of freedom of the press," "A free press is fundamental to American society" (99 percent of advisers and 96 percent of principals), and "All citizens have an obligation to protect First Amendment rights of all groups, including those whose views they find repugnant" (91 percent of both advisers and principals). One statement in 1989, "Society has an obligation to protect the First Amendment rights of high school students," was agreed to by 81 percent of the principals and 92 percent of the advisers. In 1984-85, 94 percent of the principals and 98 percent of the advisers agreed that "A free press is fundamental to American society." These respondents appear to favor a free press for the local, regional, and national commercial media but not for the student newspapers in their schools.

A statement used in the 1984-85 survey that was not used in later ones, "Most Americans support the concept of freedom of the press in theory but not in practice," found agreement among 68 percent of the principals and 75 percent of the advisers.

Parents and School Boards

More than half (54 percent) the advisers agreed that "most parents in our community are not concerned with whether the student newspaper is censored"; however, 62 percent of the principals disagreed with that statement. Principals (79 percent) and advisers (71 percent) agreed that "Most parents would prefer that the student newspaper print 'good' news rather than news which might raise controversial issues."

With regard to school board members, three-fourths of the advisers and 58 percent of the principals agreed that "Our school board is more concerned about the school's reputation in the community than about having an uncensored student newspaper."

Understanding of Advisers and Principals

Respondents generally felt that they understood their roles in relation to the newspaper. Both advisers (94 percent) and principals (82 percent) disagreed with the statement that "Our newspaper adviser sometimes has a narrow view of the student newspaper and fails to see how the paper can disrupt the school." They

also disagreed with the statement, "Our high school principal does not understand the First Amendment concept of a free press as it relates to high school publications," (96 percent of principals and 83 percent of advisers). In 1989, 62 percent of the principals agreed that "Newspaper advisers sometimes fail to see how the paper can disrupt other aspects of the school," but 54 percent of the advisers disagreed. In 1984-85, 55 percent of the principals agreed with that same statement, while 63 percent of the advisers disagreed. Also in 1984-85, 83 percent of the principals and 67 percent of the advisers disagreed with the statement, "School administrators at my school have little understanding of the First Amendment rights of the student newspaper."

Nearly all principals (97 percent) strongly indicated their interest in the paper by disagreeing with the statement, "Our principal shows little interest in the student newspaper unless it gets into controversy." Two-thirds of the advisers (67 percent) also disagreed with that statement. Both principals (91 percent) and advisers (79 percent) disagreed that "our principal would prefer to dismiss an adviser than stand up for freedom of expression in the newspaper." In the 1984-85 survey, 49 percent of the principals and 75 percent of the advisers agreed that "Administrators seldom worry about the student newspaper unless it gets into controversial areas."

Hazelwood v. Kuhlmeier

Three-fifths of the principals (63 percent) and advisers (62 percent) replied that they are familiar with the 1988 U.S. Supreme Court decision in *Hazelwood v. Kuhlmeier*. It is significant to note that more than one-third of both the advisers and principals replied that they are not familiar with that landmark decision.

Half the advisers (50.8 percent) and nearly half the principals (48 percent) said they studied media law or high school press law. Of the advisers, one-fourth learned this topic in an undergraduate journalism class and regularly read Student Press Law Center publications. Twenty-nine percent read journalism journals; another 10.1 percent learned law in a graduate journalism class, and 7.2 percent in a school of education law class. More than one-third of principals (38.1 percent) studied media law in a school of education law class, and 27.4 percent reported that they regularly read law journals. Nearly 10 percent read SPLC publications, and five principals had taken an undergraduate journalism class.

Respondents were asked to answer six questions based on the *Hazelwood* decision to ascertain their understanding of the implications of the case. Only one-fourth (23.5 percent) of advisers agreed that "The *Hazelwood* decision was limited and does not apply to student newspapers defined as public forums for student expression, open to news and editorials and other opinion pieces"; 38.2 percent said it did not, and the same percentage said they didn't know. Of principals, only 18.2 percent agreed; more than half (52.7 percent) disagreed, and 29.1 percent did not know.

Legal liability was another area which respondents did not understand. A small percentage of both advisers (8.7 percent) and principals (9.1 percent) agreed that if school officials do not exercise prior review over the content of the newspaper, they are not legally liable for its content, while more than half of both advisers (56.3 percent) and principals (70.9 percent) disagreed; one-third of advisers (35 percent) and one-fifth of principals did not know. Percentages were similar for the same question about newspaper advisers' ability; 6.8 percent of advisers and 5.4 percent of principals agreed, while 60.2 percent of advisers and 73.2 percent of principals disagreed that if the adviser does not censor, he is not legally liable for content. One-third of advisers and 21.4 percent of principals did not know.

Since the *Hazelwood* decision was limited to a paper which was not a forum for free student expression, in situations where student editors in printed policies or in practice have been granted final authority over the newspaper's content, they still have the right to that free expression, even after *Hazelwood*. One-fourth (25.7 percent) of advisers and one-fifth of principals agreed, while 29.7 percent of advisers and more than half (52.7 percent) the principals disagreed. Nearly half (44.6 percent) the advisers and 27.3 percent of principals said they did not know.

To follow through on printed policies establishing the forum status of a publication, few respondents (25.7 percent of advisers and 20 percent of principals) agreed that "A written editorial policy giving student editors final determination of the content of the newspaper has no effect following the

Hazelwood decision." More than one-fourth of advisers (26.5 percent) and one-third (32.7 percent) of principals disagreed; half (51 percent) the advisers and 40 percent of principals did not know. (See Tables 2 and 3)

(Insert Tables 2 and 3 about here)

A small percentage of respondents (21.8 percent of advisers and 29.1 percent of principals) felt that *Hazelwood* influenced the status of the newspaper at their school; half the advisers and 41.8 percent of principals said it did not. More than half (52.9 percent) the advisers elaborated on this question and also offered further comments on the last page where they were invited to do so.

Many affirmed the fact that the status of the paper had not changed. A Texas adviser's comment shows one side:

> The *Hazelwood* decision has not influenced the status of the student newspaper at my school. The principal believes in free press and has never exercised any restraint or criticism of stories and editorials...

An Oregon adviser said the following:

> Made principal aware he can ask for final approval although he does not. But because of this law I... sometimes let him know when a controversial issue will be in print. He has not censored us but has asked if we could add another point of view... – we have obliged.

However, more advisers talked of prior review and censorship.

An Illinois adviser explained, "Our principal exercises prior review and prior restraint explaining that because school funds are used to produce the newspaper he has that right."

Another from Kentucky said, "Our course is an elective; if the content becomes disruptive or embarrassing to our school, the course can be dropped. Ultimately, our administration and adviser have control already and always have."

An Ohio adviser discussed the role of the paper as a public relations tool: "Our newspaper is not a forum for student ideas... We send the paper to parents, prospective students, etc., with the intent of letting them see what goes on at our school – events, activities, other positive things." Several, such as one from Oregon, talked about the non-public forum status of the paper: "It is school-sponsored – it is not open to unrestricted use by students. Those students who want to exercise free speech can organize and support their own on their own time using their own resources. I believe he who owns the press sets the policies and practices of that press."

An adviser from Michigan talks about the tightrope and how the students

> ...are learning to play the game and walk the tightrope – how far can they go and not get shut down?...we don't just do PR for the school...decision-making, or self-censorship, is about survival under a very tricky standard. I do believe they may choose to be more selective these days than they might have if we were working under the Tinker standard.

One Arkansas adviser enclosed a school district policy discussing prior review by school officials:

> In order to reserve student publications for their intended educational purpose, the publications advisor in conjunction with student editors will determine what material shall be considered for publication. The building principal may review any material considered for publication. If there is a question of appropriateness, the advisor, together with student editors and building principal, will resolve the issue. If no resolution can be reached after serious deliberation and consultation

> with other appropriate parties (Student Press Law Center, school superintendent, local newspaper editor, school attorney, etc.), the building principal will make the final decision. The decision of the building principal shall be final, and there shall be no further appeal.

Principals emerged on both sides of *Hazelwood*. A New York administrator said, "Maximum autonomy should be imparted to students with discussion of responsible exercise of freedom of speech on a first line of response to issues of controversy. Censorship is a last resort."

But a Michigan principal stated more the norm: "Our paper is a publication of the school. Its intent is to teach procedure and process – not be a voice of the student." So did one from Washington: "As long as we pay the bills, we are the publishers and can control what goes in the paper."

Conclusion

These findings paint a clear picture of a high school student press that is not free, that is controlled mostly by advisers, but also by principals, and that views editing of the newspaper by its faculty adviser as the norm. Only 27 percent of the principals and advisers say their papers are not censored.

Principals and advisers appear to believe that the newspaper adviser is an integral part of the student newspaper staff as well as an arm of the school administration (principal) and should participate in editorial decisions, fact checking, and copy editing. The majority of respondents do not stop with reading and approving copy but also agree that the adviser should correct factual inaccuracies

and misspellings in student copy. In the 61 percent of the student newspapers censored by the principal, this individual appears to function in an editorial capacity over the students.

A majority of respondents say that both the adviser and the principal censor student newspapers, that school funding of the paper is an issue in exerting control over what is printed, that principals should have a right to prevent publication of certain stories, that the newspaper adviser should approve all copy before publication, that students are engaging in self-censorship, and that students should not have editorial control of the paper.

A slim majority say that students should publish a story they can prove is true even if it will embarrass the school's administration, and a majority of advisers say that they should not prevent an item that may embarrass the school's administration from being published.

The findings raise the question of how students can learn about press freedom if they are not allowed to practice it. How can students become responsible citizens when their advisers and principals are making decisions for them and acting as editors of their papers?

Nearly all the curricula for high school journalism published over the last 70 years espouse teaching and practicing freedom of the press in American high schools. The findings in three similar yet different surveys before and after the *Hazelwood* decision, however, suggest that the vast majority of the American high school press, as exemplified by its student newspapers, has always been censored,

has never been free. Answers to the survey's questions on press freedom appear to indicate that principals and advisers support press freedom for everyone, except for their student newspaper staff members. Further, respondents in the 1984-85 survey suggested that Americans support press freedom more in theory than in practice. The statistics in 1999 show that the practice of press freedom in the nation's high school newspapers does not mirror the free press guarantees of the First Amendment to the U.S. Constitution.

Have journalism educators and professional organizations done enough historically to advance high school press freedom? One can only wonder at the clear plurality of newspaper editorials which, in 1988, supported the *Hazelwood* decision by saying that the principal was indeed the publisher of the student press, with control over the newspaper, parallel to the publishers of our nation's commercial newspapers. Missing, of course, was the reality that public school principals are arms of the state, and newspaper publishers operate in the realm of private enterprise.

Many journalism education associations and professional journalism organizations financially assist the Student Press Law Center, which fights daily for free press rights for students. But do these same organizations speak out publicly in support of the constitutional rights of student journalists operating scholastic and collegiate media? Do they offer to build alliances and mentoring programs and provide educational opportunities for advisers and students as they learn and

practice their craft on their campus communities? Do they defend and assist students caught in censorship battles?

This study suggests further efforts are needed to bring about a free press in American high schools. Unfortunately, censorship of student newspapers is a widely practiced reality, one which has not abated in the last decade, and one which teaches students that they do, indeed, "leave their constitutional rights to freedom of speech or expression at the school house gate."

Endnotes

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Table 1
Level of Agreement of Principals and Advisers with Statements Relating to the Student Newspaper

Statement		Principals SA	A	D	SD	N	Advisers SA	A	D	SD	N
The school's principal should have a voice in selecting the student newspaper editor.	F	17	18	35	09	79	05	29	61	42	137
	%	22	23	44	11		04	21	44	31	
		$p < .001$									
Only teachers who have some courses in journalism should be hired as advisers for student newspapers.	F	14	32	31	00	77	34	35	58	10	137
	%	18	42	40	00		25	26	42	07	
		$p < .02$									
So long as the school provides funding for some of the newspaper's expenses, school administrators should have some control over what is printed in the student newspaper.	F	41	32	03	01	77	16	66	34	16	132
	%	53	42	04	01		12	50	26	12	
		$p < .001$									
Our school principal should have the right to prevent publication of articles he or she thinks would be harmful, even if such articles might not be found libelous, obscene, or disruptive by a court of law.	F	41	26	08	02	77	22	51	31	28	132
	%	53	34	10	03		17	39	24	21	
		$p < .001$									
Articles in which quoted sources criticize the school board should never appear in the student newspaper.	F	15	10	45	06	76	06	20	71	35	132
	%	20	13	59	08		05	15	54	26	
		$p < .001$									
Once students have been trained in journalistic principles and press responsibility, they should have full control over the editorial content in the student newspaper.	F	02	10	41	23	76	13	30	70	19	132
	%	03	13	54	30		10	23	53	14	
		$p < .02$									
If the principal asks the adviser to read copy prior to publication, the adviser should do so.	F	50	24	02	01	77	50	70	09	05	134
	%	65	31	03	01		37	52	07	04	
		$p < .01$									
The newspaper adviser is professionally obligated to inform the principal of any controversial stories before the newspaper is distributed.	F	47	25	04	01	77	34	73	21	04	132
	%	61	33	05	01		26	55	16	03	
		$p < .001$									
If the adviser knows that the newspaper plans to publish something that may embarrass the school's administration, the adviser has a professional obligation to prevent that item from being published.	F	25	23	27	01	76	21	36	58	13	128
	%	33	30	36	01		16	28	45	10	
		$p < .01$									

The newspaper adviser should read and approve all copy prior to publication.	F	57	20	00	00	77	71	56	05	02	134
	%	74	26	00	00		53	42	04	01	
		$p<.02$									
The newspaper adviser should correct misspellings in student copy prior to publication.	F	52	18	06	01	77	49	56	22	04	131
	%	68	23	08	01		37	43	17	03	
		$p<.001$									
The newspaper adviser should correct factual inaccuracies in student copy before publication.	F	52	19	05	00	76	55	63	11	04	133
	%	68	25	07	00		41	47	08	03	
		$p<.01$									
Our student newspaper should concern itself only with issues and events that relate to our campus, not to those of the larger community, state or nation.	F	05	06	37	27	75	04	07	69	55	135
	%	07	08	49	36		03	05	51	41	
An important function of the student newspaper is to be a forum for free student expression.	F	09	41	19	05	74	37	73	21	01	132
	%	12	55	26	07		28	55	16	01	
		$p<.01$									
The student newspaper should print a story that it can prove is true even if printing the story will embarrass the school's administration.	F	03	35	27	09	74	14	57	51	08	130
	%	04	47	37	12		11	44	39	06	
The student newspaper should advance the public relations objectives of the school.	F	32	35	10	00	77	22	63	28	17	130
	%	42	45	13	00		17	49	21	13	
		$p<.001$									
Most parents in our community are not concerned with whether the student newspaper is censored.	F	04	26	32	16	78	17	52	47	12	128
	%	05	33	41	21		13	41	37	09	
Most parents would prefer that the student newspaper print "good" news than news which might raise controversial issues.	F	11	50	15	01	77	19	69	32	03	123
	%	14	65	20	01		15	56	26	02	
High school students are not sufficiently mature to understand the theory and practice of a free press.	F	04	17	43	13	77	05	21	74	33	133
	%	05	22	56	17		04	16	56	25	
Our school board is more concerned about the school's reputation in the community than about having an uncensored student newspaper.	F	13	31	28	03	75	32	56	27	02	117
	%	17	41	37	04		27	48	23	02	
Our newspaper adviser sometimes has a narrow view of the student newspaper and fails to see how the paper can disrupt the school.	F	01	12	37	25	75	01	06	80	40	127
	%	01	16	49	33		12	47	28	12	
		$p<.05$									

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Our newspaper adviser censors the student newspaper.	F	07	32	28	07	74	16	62	37	16	131
	%	09	43	38	09		12	47	28	12	
Our high school principal does not understand the First Amendment concept of a free press as it relates to high school publications.	F	00	02	34	41	77	08	15	72	37	132
	%	00	03	44	52		06	11	55	28	
	$p < .001$										
Our principal shows little interest in the student newspaper unless it gets into controversy.	F	00	02	38	37	77	11	34	67	23	135
	%	00	03	49	48		08	25	50	17	
	$p < .001$										
Our principal would prefer to dismiss an adviser than stand up for freedom of expression in the newspaper.	F	01	06	37	29	73	11	14	78	17	120
	%	01	08	51	40		09	12	65	14	
	$p < .001$										
The student staff members censor our student newspaper.	F	04	41	20	04	69	04	74	46	07	131
	%	06	59	29	06		03	57	35	05	
A free press is fundamental to American society.	F	32	39	02	01	74	74	57	02	00	133
	%	43	53	03	01		56	43	01	00	
Most Americans support the concept of freedom of the press.	F	22	50	02	02	76	35	74	04	00	133
	%	29	66	03	03		26	71	03	00	
All citizens have an obligation to protect First Amendment rights of all groups, including those whose views they find repugnant.	F	21	47	06	01	75	45	75	12		132
	%	28	63	08	01		34	57	09	00	

SA = Strongly agree, A = Agree, D = Disagree, SD = Strongly disagree

Table 2
Familiarity with Press Law and the *Hazelwood* Decision
Principals and Advisers

Statement		Principals Yes	No	DK	N	Advisers Yes	No	DK	N
Are you familiar with the 1988 U.S. Supreme Court decision in *Hazelwood v. Kuhlmeier*?	F	48	29		77	81	52		133
	%	62	38			61	39		
Have you studied media law or high school student press law?	F	36	39		75	67	65		132
	%	48	52			51	49		
The *Hazelwood* decision was limited and does not apply to papers defined as public forums for student expression, open to news and editorials and other opinion pieces.	F	10	29	16	55	24	39	39	102
	%	18	53	29		24	38	38	
		$p < .001$							
If school officials do not exercise prior review over the content of the newspaper, they are not legally liable for its content.	F	5	39	11	55	9	58	36	103
	%	9	71	20		9	56	35	
		$p < .001$							
If the newspaper adviser does not exercise prior review over the content of the newspaper, he or she is not legally liable for its content.	F	3	41	12	56	7	62	34	103
	%	5	73	21		7	60	33	
		$p < .001$							
If student editors in printed policies or in practice have been granted final authority over the newspaper's content, they still have the right to that free expression under the *Hazelwood* decision.	F	11	29	15	55	26	30	45	101
	%	20	53	27		26	30	45	
		$p < .001$							
A written editorial policy giving student editors final determination of the content of the newspaper has no effect following the *Hazelwood* decision.	F	15	18	22	55	22	26	50	98
	%	27	33	40		22	27	51	
		$p < .001$							
Do you think the *Hazelwood* decision influenced the status of the student newspaper at your school?	F	16	23	16	55	22	51	28	101
	%	29	42	29		22	50	28	
		$P < .001$							

DK = Don't know

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Table 3
Familiarity with Press Law and the *Hazelwood* Decision
Total Respondents

Statement		Are You Familiar with the 1988 *Hazelwood* Decision? Yes	No	N
The *Hazelwood* decision was limited and does not apply to papers defined as public forums for student expression, open to news and editorials and other opinion pieces.	Yes	34	0	34
	NO	67	1	68
	DK	19	36	55
	Total	120	37	157
		$p<.001$		
If school officials do not exercise prior review over the content of the newspaper, they are not legally liable for its content.	Yes	12	1	13
	NO	87	10	97
	DK	22	25	47
	Total	121	36	157
		$p<.001$		
If the newspaper adviser does not exercise prior review over the content of the newspaper, he or she is not legally liable for its content.	Yes	9	0	9
	NO	92	11	103
	DK	21	25	46
	Total	122	36	158
		$p<.001$		
If student editors in printed policies or in practice have been granted final authority over the newspaper's content, they still have the right to that free expression under the *Hazelwood* decision.	Yes	35	2	37
	NO	58	1	59
	DK	27	33	60
	Total	120	36	156
		$p<.001$		
A written editorial policy giving student editors final determination of the content of the newspaper has no effect following the *Hazelwood* decision.	Yes	37	0	37
	NO	43	1	44
	DK	37	35	72
	Total	117	36	153
		$p<.001$		
Do you think the *Hazelwood* decision influenced the status of the student newspaper at your school?	Yes	39	0	39
	NO	65	7	72
	DK	15	29	44
	Total	119	36	155
		$p<.001$		

DK = Don't know